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FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

JAN 07 2020

SEAN F. McAVOY, CLERK
DEPUTY
SPOKANE, WASHINGTON

9 UNITED STATES DISTRICT COURT
10 FOR THE EASTERN DISTRICT OF WASHINGTON

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14 TRENT DREXEL HOWARD,

15 Defendant.

No. 4:19-CR-06036-SMJ

SUPERSEDING INDICTMENT

Vio: 18 U.S.C. § 2252A(a)(2)(A), (b)(1)
Receipt of Child Pornography
(Count 1)

18 U.S.C. § 2252A(a)(2)(A), (b)(1)
Distribution of Child Pornography
(Count 2)

18 U.S.C. § 2252A(a)(5)(B), (b)(2)
Possession of Child Pornography
(Count 3)

18 U.S.C. § 2251(a), (e)
Production and Attempted
Production of Child Pornography
(Counts 4, 5, 9, 12)

18 U.S.C. § 2251(a), (e)
Attempted Production of Child
Pornography
(Counts 6, 7, 8, 10, 11, 13) 14 15

18 U.S.C. § 2253
Forfeiture Allegations

1 The Grand Jury charges:

2 COUNT 1

3 Beginning on or about December 8, 2007, and continuing until on or about
4 May 15, 2019, in the Eastern District of Washington and elsewhere, the Defendant,
5 TRENT DREXEL HOWARD, did knowingly receive child pornography, as
6 defined in 18 U.S.C. § 2256(8)(A), that had been mailed, shipped and transported
7 in interstate commerce by any means, including by computer, to wit: images
8 depicting minor and prepubescent children engaging in sexually explicit conduct,
9 including but not limited to the lascivious exhibition of the genitals and pubic area,
10 in violation of 18 U.S.C. § 2252A(a)(2)(A), (b)(1).

11 COUNT 2

12 Beginning on or about November 20, 2018, and continuing until on or about
13 May 15, 2019, in the Eastern District of Washington and elsewhere, the Defendant,
14 TRENT DREXEL HOWARD, did knowingly distribute child pornography, as
15 defined in 18 U.S.C. § 2256(8)(A), that had been mailed, shipped and transported
16 in interstate commerce by any means, including by computer, to wit: images
17 depicting minor and prepubescent children engaging in sexually explicit conduct,
18 including but not limited to the lascivious exhibition of the genitals and pubic area,
19 in violation of 18 U.S.C. § 2252A(a)(2)(A), (b)(1).

20 COUNT 3

21 On or about June 5, 2019, in the Eastern District of Washington, the
22 Defendant, TRENT DREXEL HOWARD, did knowingly possess material which
23 contained one or more visual depictions of child pornography, as defined in 18
24 U.S.C. § 2256(8)(A), including images of prepubescent minors and minors who
25 had not attained twelve years of age, the production of which involved the use of a
26 minor engaging in sexually explicit conduct, and which visual depictions were of
27 such conduct; that had been mailed, shipped and transported in interstate and

1 foreign commerce, and which were produced using materials that had been mailed,
2 shipped and transported in interstate or foreign commerce, by any means including
3 computer, all in violation of 18 U.S.C. § 2252(a)(5)(B), (b)(2).

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COUNT 4

Between on or about June 1, 2009, and on or about April 28, 2012, in the
Eastern District of Washington, the Defendant, TRENT DREXEL HOWARD, did
knowingly use and attempt to use a minor child, Minor 1, to engage in sexually
explicit conduct, for the purpose of producing any visual depiction of such
conduct, knowing and having reason to know that such visual depiction would be
transported in and affecting interstate and foreign commerce, using any means or
facility of interstate and foreign commerce, such visual depiction to be produced
using materials that have been mailed, shipped, and transported in and affecting
interstate and foreign commerce by any means, including by computer, in violation
of 18 U.S.C. § 2251(a), (e).

COUNT 5

Between on or about March 24, 2008, and on or about August 4, 2013, in the
Eastern District of Washington, the Defendant, TRENT DREXEL HOWARD, did
knowingly use and attempt to use a minor child, Minor 2, to engage in sexually
explicit conduct, for the purpose of producing any visual depiction of such
conduct, knowing and having reason to know that such visual depiction would be
transported in and affecting interstate and foreign commerce, using any means or
facility of interstate and foreign commerce, such visual depiction to be produced
using materials that have been mailed, shipped, and transported in and affecting
interstate and foreign commerce by any means, including by computer, in violation
of 18 U.S.C. § 2251(a), (e).

COUNT 6

On or about September 3, 2012, in the Eastern District of Washington, the Defendant, TRENT DREXEL HOWARD, did knowingly attempt to use a minor child, Minor 3, to engage in sexually explicit conduct, for the purpose of producing any visual depiction of such conduct, knowing and having reason to know that such visual depiction would be transported in and affecting interstate and foreign commerce, using any means or facility of interstate and foreign commerce, such visual depiction to be produced using materials that have been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer, and such visual depiction actually transported in an affecting interstate and foreign commerce, using any means and facility of interstate and foreign commerce, in violation of 18 U.S.C. § 2251(a), (e).

COUNT 7

Between on or about April 5, 2011, and on or about July 17, 2012, in the Eastern District of Washington, the Defendant, TRENT DREXEL HOWARD, did knowingly attempt to use a minor child, Minor 4, to engage in sexually explicit conduct, for the purpose of producing any visual depiction of such conduct, knowing and having reason to know that such visual depiction would be transported in and affecting interstate and foreign commerce, using any means or facility of interstate and foreign commerce, such visual depiction to be produced using materials that have been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer, in violation of 18 U.S.C. § 2251(a), (e).

COUNT 8

Between on or about May 1, 2012, and on or about April 21, 2016, in the Eastern District of Washington, the Defendant, TRENT DREXEL HOWARD, did knowingly attempt to use a minor child, Minor 5, to engage in sexually explicit

1 conduct, for the purpose of producing any visual depiction of such conduct,
2 knowing and having reason to know that such visual depiction would be
3 transported in and affecting interstate and foreign commerce, using any means or
4 facility of interstate and foreign commerce, such visual depiction to be produced
5 using materials that have been mailed, shipped, and transported in and affecting
6 interstate and foreign commerce by any means, including by computer, in violation
7 of 18 U.S.C. § 2251(a), (e).

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COUNT 9

Between on or about May 1, 2012, and on or about April 21, 2016, in the
Eastern District of Washington, the Defendant, TRENT DREXEL HOWARD, did
knowingly use and attempt to use a minor child, Minor 6, to engage in sexually
explicit conduct, for the purpose of producing any visual depiction of such
conduct, knowing and having reason to know that such visual depiction would be
transported in and affecting interstate and foreign commerce, using any means or
facility of interstate and foreign commerce, such visual depiction to be produced
using materials that have been mailed, shipped, and transported in and affecting
interstate and foreign commerce by any means, including by computer, in violation
of 18 U.S.C. § 2251(a), (e).

COUNT 10

Between on or about April 5, 2011, and on or about July 17, 2012, in the
Eastern District of Washington, the Defendant, TRENT DREXEL HOWARD, did
knowingly attempt to use a minor child, Minor 7, to engage in sexually explicit
conduct, for the purpose of producing any visual depiction of such conduct,
knowing and having reason to know that such visual depiction would be
transported in and affecting interstate and foreign commerce, using any means or
facility of interstate and foreign commerce, such visual depiction to be produced
using materials that have been mailed, shipped, and transported in and affecting

1 interstate and foreign commerce by any means, including by computer, in violation
2 of 18 U.S.C. § 2251(a), (e).

3 COUNT 11

4 Between on or about April 5, 2011, and on or about July 17, 2012, in the
5 Eastern District of Washington, the Defendant, TRENT DREXEL HOWARD, did
6 knowingly attempt to use a minor child, Minor 8, to engage in sexually explicit
7 conduct, for the purpose of producing any visual depiction of such conduct,
8 knowing and having reason to know that such visual depiction would be
9 transported in and affecting interstate and foreign commerce, using any means or
10 facility of interstate and foreign commerce, such visual depiction to be produced
11 using materials that have been mailed, shipped, and transported in and affecting
12 interstate and foreign commerce by any means, including by computer, in violation
13 of 18 U.S.C. § 2251(a), (e).

14 COUNT 12

15 On or about March 24, 2008, in the Eastern District of Washington, the
16 Defendant, TRENT DREXEL HOWARD, did knowingly use and attempt to use a
17 minor child, Minor 9, to engage in sexually explicit conduct, for the purpose of
18 producing any visual depiction of such conduct, knowing and having reason to
19 know that such visual depiction would be transported in and affecting interstate
20 and foreign commerce, using any means or facility of interstate and foreign
21 commerce, such visual depiction to be produced using materials that have been
22 mailed, shipped, and transported in and affecting interstate and foreign commerce
23 by any means, including by computer, in violation of 18 U.S.C. § 2251(a), (e).

24 COUNT 13

25 Between on or about January 1, 2010, and on or about January 23, 2015, in
26 the Eastern District of Washington, the Defendant, TRENT DREXEL HOWARD,
27 did knowingly attempt to use a minor child, Minor 10, to engage in sexually
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1 explicit conduct, for the purpose of producing any visual depiction of such
2 conduct, knowing and having reason to know that such visual depiction would be
3 transported in and affecting interstate and foreign commerce, using any means or
4 facility of interstate and foreign commerce, such visual depiction to be produced
5 using materials that have been mailed, shipped, and transported in and affecting
6 interstate and foreign commerce by any means, including by computer, in violation
7 of 18 U.S.C. § 2251(a), (e).

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COUNT 14

On or about October 28, 2008, in the Eastern District of Washington, the
Defendant, TRENT DREXEL HOWARD, did knowingly attempt to use a minor
child, Minor 11, to engage in sexually explicit conduct, for the purpose of
producing any visual depiction of such conduct, knowing and having reason to
know that such visual depiction would be transported in and affecting interstate
and foreign commerce, using any means or facility of interstate and foreign
commerce, such visual depiction to be produced using materials that have been
mailed, shipped, and transported in and affecting interstate and foreign commerce
by any means, including by computer, in violation of 18 U.S.C. § 2251(a), (e).

COUNT 15

Beginning on an unknown date, but at least by on or about December 31,
2011, and continuing until on or about February 7, 2014, in the Eastern District of
Washington, the Defendant, TRENT DREXEL HOWARD, did knowingly attempt
to use a minor child, other than Minors 1-11, to engage in sexually explicit
conduct, for the purpose of producing any visual depiction of such conduct,
knowing and having reason to know that such visual depiction would be
transported in and affecting interstate and foreign commerce, using any means or
facility of interstate and foreign commerce, such visual depiction to be produced
using materials that have been mailed, shipped, and transported in and affecting

1 interstate and foreign commerce by any means, including by computer, in violation
2 of 18 U.S.C. § 2251(a), (e).

3 4 NOTICE OF FORFEITURE ALLEGATIONS

5 The allegations contained in this Indictment are hereby realleged and
6 incorporated by reference for the purpose of alleging forfeitures.

7 Pursuant to 18 U.S.C. § 2253, upon conviction of an offense(s) in violation of
8 18 U.S.C. § 2251(a), (e), 18 U.S.C. § 2252A(a)(2)(A), (b)(1), and/or 18 U.S.C.
9 § 2252A(a)(5)(B), (b)(2) as alleged in Counts 1 – 15 of this Superseding Indictment,
10 the Defendant, TRENT DREXEL HOWARD, shall forfeit to the United States any
11 visual depiction described in section 2251, 2251A, 2252, 2252A, 2252B, or 2260, or
12 any book, magazine, periodical, film, videotape, or other matter which contains any
13 such visual depiction, which was produced, transported, mailed, shipped or received
14 in violation of this chapter; any property, real or personal, constituting or traceable to
15 gross profits or other proceeds obtained from such offenses; and, any property, real or
16 personal, used or intended to be used to commit or to promote the commission of such
17 offenses, or any property traceable to such property.

18 If any of the property described above, as a result of any act or omission of the
19 defendant:

- 20 a. cannot be located upon the exercise of due diligence;
- 21 b. has been transferred or sold to, or deposited with, a third party;
- 22 c. has been placed beyond the jurisdiction of the court;
- 23 d. has been substantially diminished in value; or
- 24 e. has been commingled with other property which cannot be divided
without difficulty,

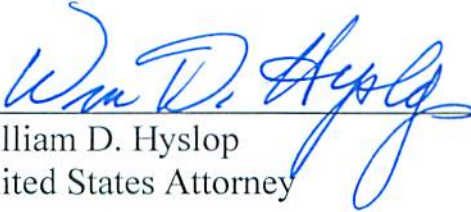
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1 the United States of America shall be entitled to forfeiture of substitute property
2 pursuant to 21 U.S.C. § 853(p), as incorporated by 18 U.S.C. § 2253(b).

3 Dated this 7 day of January 2020.

4 A TRUE BILL

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12 Ann T. Wick
13 Assistant United States Attorney
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